APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,168	06/14/2001	Cary Lee Bates	ROC920010105US1	6848

7590   01/21/2003

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EXAMINER
TRAN, QUOC DUC

ART UNIT	PAPER NUMBER
2643	

DATE MAILED: 01/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 November 2002</u> .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-20</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-20</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) ☐ Other: .

DETAILED ACTION

Response to Amendment

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-2, 7-10, 13, 16-17 and 19-20 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Wallace (5,988,497) in view of Cohen et al (5,946,380).

Consider claim 1, Wallace teaches a computer implemented method for implementing

calling card security comprising the steps of: receiving a telephone call request from a calling

card user; checking a plurality of predefined options to identify user selected options for the

calling card; and processing said telephone call request from the calling card user responsive to

said identified user selected options for the calling card (col. 5 line 45 – col. 6 line 44; Fig. 1).

Wallace did not clearly suggest sequentially checking a plurality of predefined options to

identify user selected options for the calling card using a stored calling card record, said calling

card record storing a calling card number and a time remaining for the calling card; said calling

card record includes a plurality of predefined options and each said user selected options for the

calling card. However, Cohen et al suggested such (abstract; col. 2 lines 17-45; and col. 3 line 15

– col. 5 line 19).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Cohen et al into view of Wallace in order to provide automatic predefine course of action for calling services.

Consider claim 2, Wallace teaches a computer implemented method for implementing calling card security as recited in claim 1 includes the steps of identifying a telephone call request to setup a calling card from a calling card user and performing setup to receive and store user selected options for the calling card (col. 5 line 45 – col. 6 line 44; Fig. 5).

Consider claim 7, Wallace teaches a computer implemented method for implementing calling card security as recited in claim 1 wherein the step of checking said plurality of predefined options to identify user selected options for the calling card includes the step of checking for a limited number of calls from a specified telephone number being enabled (col. 2 lines 4-15).

Consider claim 8, Wallace teaches a computer implemented method for implementing calling card security wherein the step of processing said telephone call request from the calling card user responsive to said identified user selected options for the calling card includes the step of comparing a number of calls from said specified telephone number with a threshold limit responsive to said limited number of calls from a specified telephone number being enabled; and terminating said telephone call request when said number of calls from said specified telephone number exceeds said threshold limit (col. 1 line 63 – col. 2 line 29).

Consider claim 9, Wallace teaches a computer implemented method for implementing calling card security wherein the step of checking said plurality of predefined options to identify

user selected options for the calling card includes the step of checking for calls to a limited area

being enabled (col. 2 lines 4-15).

Consider claim 10, Wallace teaches a computer implemented method for implementing

calling card security wherein the step of processing said telephone call request from the calling

card user responsive to said identified user selected options for the calling card includes the step

of comparing a telephone number dialed with said limited area responsive to calls to said limited

area being enabled; and terminating said telephone call request when said telephone number

dialed is outside said limited area (col. 1 line 63 – col. 2 line 29).

Consider claim 13, Wallace teaches a computer program product for implementing

calling card security with a server computer, said computer program product including a plurality

of computer executable instructions stored on a computer readable medium, wherein said

instructions, when executed by said server computer, cause the server computer to perform the

steps of: responsive to a user request to setup a calling card, performing setup to receive and

store user selected options for said calling card; receiving a telephone call request from a calling

card user; responsive to said telephone call request from the calling card user, checking a

plurality of predefined options to identify user selected options for the calling card; and

processing said telephone call request from the calling card user responsive to said identified

user selected options for the calling card (col. 5 line 45 – col. 6 line 44; Fig. 1).

Wallace did not clearly suggest sequentially checking a plurality of predefined options to

identify user selected options for the calling card using a stored calling card record, said calling

card record storing a calling card number and a time remaining for the calling card; said calling

card record includes a plurality of predefined options and each said user selected options for the

calling card. However, Cohen et al suggested such (abstract; col. 2 lines 17-45; col. 3 line 15 –
col. 5 line 19).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time
the invention was made to incorporate the teaching of Cohen et al into view of Wallace in order
to provide automatic predefine course of action for calling services.

Consider claim 16, Wallace teaches a computer program product for implementing
calling card security wherein the step responsive to said telephone call request from the calling
card user, checking a plurality of predefined options to identify user selected options for the
calling card includes the step of checking for a limited area for calls being enabled by the calling
card user for use of the calling card (col. 2 lines 4-15).

Consider claim 17, Wallace teaches a computer program product for implementing
calling card security wherein the step responsive to said telephone call request from the calling
card user, checking a plurality of predefined options to identify user selected options for the
calling card includes the step of checking for a limited number of calls from a specified area or a
specified telephone number being enabled by the calling card user for use of the calling card
(col. 2 lines 4-15).

Consider claim 19, Wallace teaches wherein the step of processing said telephone call
request from the calling card user responsive to said identified user selected options for the
calling card includes the step of comparing said identified user selected options for the calling
card with said telephone call request from the calling card user and terminating the telephone call
when said telephone call request differs from said identified user selected options for the calling
card (col. 6 lines 6-33).

Consider claim 20, Wallace teaches a system for implementing calling card security comprising: a server computer; a calling card security program including a plurality of computer executable instructions stored on a computer readable medium, wherein said instructions, when executed by said server computer, cause the server computer to perform the steps of: receiving a telephone call request from a calling card user; checking a plurality of predefined options to identify user selected options for the calling card; and processing said telephone call request from the calling card user responsive to said identified user selected options for the calling card (col. 5 line 45 – col. 6 line 44; Fig. 1).

Wallace did not clearly suggest sequentially checking a plurality of predefined options to identify user selected options for the calling card using a stored calling card record, said calling card record storing a calling card number and a time remaining for the calling card; said calling card record includes a plurality of predefined options and each said user selected options for the calling card. However, Cohen et al suggested such (abstract; col. 2 lines 17-45; col. 3 line 15 – col. 5 line 19).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Cohen et al into view of Wallace in order to provide automatic predefine course of action for calling services.

3.   Claims 3-4, 11-12, 14 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wallace (5,988,497) in view of Cohen et al (5,946,380) and further in view of Jankowitz et al (5,875,236).

Consider claims 3 and 14, Wallace did not clearly suggest wherein the step of checking said plurality of predefined options to identify user selected options for the calling card includes

the step of checking for use from a specified telephone number being enabled. However,

Jankowitz et al suggested such (abstract; col. 5 line 42 – col. 6 line 56). Therefore, it would have

been obvious to one of the ordinary skill in the art at the time the invention was made to

incorporate the teaching of Jankowitz et al into view of Wallace and Cohen et al in order to

increase security and integrity of the calling card network.

Consider claim 4, as discussed above, Jankowitz et al teach wherein the step of

processing said telephone call request from the calling card user responsive to said identified

user selected options for the calling card includes the step of checking for said telephone call

request originating from a specified telephone number responsive to an identified use from a

specified telephone number being enabled; and said telephone call request responsive to said

telephone call request not originating from said specified telephone number (col. 5 line 42 – col.

6 line 56).

Consider claim 11 and 18, Wallace did not clearly suggest wherein the step of checking

said plurality of predefined options to identify user selected options for the calling card includes

the step of checking for a limited time for calls being enabled. However, Jankowitz et al

suggested such (abstract; col. 5 line 42 – col. 6 line 56). Therefore, it would have been obvious to

one of the ordinary skill in the art at the time the invention was made to incorporate the teaching

of Jankowitz et al into view of Wallace and Cohen et al in order to increase security and integrity

of the calling card network.

Consider claim 12, Wallace did not clearly suggest wherein the step of processing said

telephone call request from the calling card user responsive to said identified user selected

options for the calling card includes the step of comparing a call duration with said limited time

responsive to said limited time for calls being enabled; and terminating said call when said

limited time for calls is exceeded. However, Jankowitz et al suggested such (abstract; col. 5 line

42 – col. 6 line 56). Therefore, it would have been obvious to one of the ordinary skill in the art

at the time the invention was made to incorporate the teaching of Jankowitz et al into view of

Wallace and Cohen et al in order to increase security and integrity of the calling card network.

4.   Claims 5-6 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Wallace (5,988,497) in view of Cohen et al (5,946,380) and further in view of Sawyer et al

(6,324,271).

Consider claim 5 and 15, Wallace did not clearly suggest wherein the step of checking

said plurality of predefined options to identify user selected options for the calling card includes

the step of checking for voice recognition being enabled. However, Sawyer et al suggested such

(col. 2 line 53 – col. 3 line 6). Therefore, it would have been obvious to one of the ordinary skill

in the art at the time the invention was made to incorporate the teaching of sawyer et al into view

of Wallace and Cohen et al in order to increase security and integrity of the calling card network.

Consider claim 6, as discussed above, Sawyer et al teach wherein the step of processing

said telephone call request from the calling card user responsive to said identified user selected

options for the calling card includes the step of requesting the calling card user to speak a phrase

responsive to voice recognition being enabled; comparing a received voice pattern with a stored

voice pattern; and terminating said telephone call request when a match of the voice patterns is

not found (col. 2 line 53 – col. 3 line 6).

Response to Arguments

5.   Applicant's arguments with respect to claims 1-20 have been considered but are moot in

view of the new ground(s) of rejection.

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

8.   Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Facsimile responses should be faxed to:

(703) 872-9314

Hand-delivered responses should be brought to:

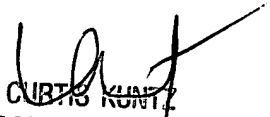Crystal Park II, 2121 Crystal Drive

Arlington. VA., Sixth Floor (Receptionist)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(703) 306-5643**. The examiner can normally be reached on Monday-Thursday from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(703) 305-4708**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(703) 306-0377**.

January 15, 2003

CURTIS KUNTZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600